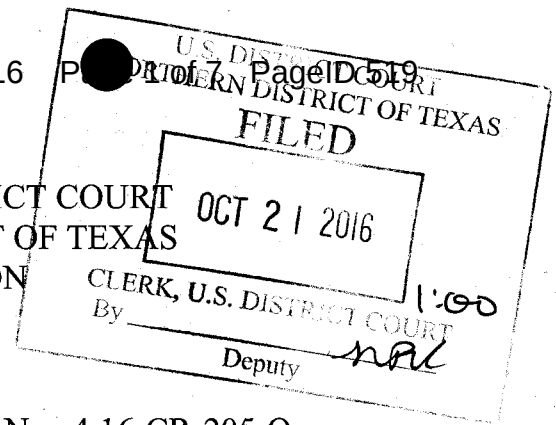


ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION



UNITED STATES OF AMERICA

v.

Criminal No. 4:16-CR-205-O

RICKY MILLER (02)

SUPERSEDING INFORMATION

The United States Attorney Charges:

At all times material to this Superseding Information:

Introduction

1. Microsoft Corporation ("Microsoft") is a provider of computer software, hardware, video games, game empire technology, online gaming platforms, and related products and services. Microsoft is headquartered in Redmond, Washington, and is the developer, manufacturer, and intellectual property rights holder of the Xbox gaming consoles, publicly named "Xbox 360" and "Xbox One." Xbox 360 was released for sale to consumers on or about May 2005. Xbox One was released for sale to consumers in or about November 2013. These Xbox consoles are computer systems and multimedia entertainment and telecommunication hubs that allow users to play video games, watch television, watch movies, and connect to the Internet.

2. Microsoft Azure is a "cloud" based computing platform that was created by Microsoft, which allows users to build, deploy, and manage applications and services through a global network of data centers managed by Microsoft.

3. Sony Interactive Entertainment ("Sony") is a research and development company, product manufacturer, and video game developer that handles the sales of both

hardware and software for the PlayStation video game systems. The PlayStation video game system platform was first introduced to the public in 1994 and additional versions of this system have been introduced over the years under the names “PlayStation 2,” “PlayStation 3,” and “PlayStation 4.” The PlayStation video game systems are computer systems and multimedia entertainment and telecommunication hubs that allow users to play video games, watch television, watch movies, and connect to the Internet.

4. A “video game console” is a specialized computer system device used by consumers for interactive video gameplay. The video game console can function like a personal computer because a console typically contains many of the same components as a personal computer.

5. A “game development kit,” also known as a “dev kit,” are specialized video game consoles used to create commercial videogames. Microsoft and Sony permit professional software developers and/or registered developers to possess an Xbox or PlayStation dev kit to create and work on tools and technologies for various game projects. To legally obtain access to either an Xbox or PlayStation dev kit, a developer typically must provide industry references, have prior development experience, and sign a non-disclosure agreement. Reselling a dev kit to another party is explicitly prohibited in the contracts with Microsoft and Sony.

6. Electronic Arts (“EA”) is a developer and publisher of video games. EA is headquartered in Redwood City, California. Currently, EA develops and publishes video games to include the titles; Madden NFL, FIFA, NHL, and numerous others. The FIFA video game series, also known as FIFA Football or FIFA Soccer, has been released annually since 1993, with an official license from the world governing body of

football/soccer, named FIFA. The latest version EA released is FIFA 16, which was released on or about September 23, 2015. A majority of the millions of daily users of the FIFA series of video games are based out of the European Union. The FIFA series of video games has been developed to be played on multiple gaming platforms, including the Microsoft Xbox and Sony's PlayStation consoles.

7. FIFA Ultimate Team ("FUT") is a game feature that was introduced by EA in its October 2009 release of FIFA 10, as a downloadable game extension available for purchase in February 2010. It has since been made a core game mode in the regular release of the FIFA product, available with the core game at no additional cost. The FUT game mode allows game users to build their own team from "real world" players. The newly created teams can then be used by the game user to compete in tournaments and matches over the internet or offline. A user can build his or her team by conducting various transactions within the FUT game mode, such as: the purchase of card packs, and through the buying, selling, or trading of players in the FUT trade market. A user can only purchase item packs, players, or other items in the game's transfer market using "FIFA points" or "FIFA coins."

8. "FIFA points" are purchased through EA and act as a virtual cash wallet for users to redeem through the purchase of FUT card packs. The purchase of "FIFA points" by FUT users results in millions of dollars in revenue for EA each year. Once a FUT user purchases an item pack, the user can choose to use the particular items to build his or her FUT team or the user can choose to discard any particular item for a set number of FIFA coins from EA, or resell the item from the pack through the FUT transfer market to another FUT user.

9. “FIFA coins” are a virtual in-game currency that can be used to buy and/or sell items in the FUT game mode. “FIFA coins” can be legally obtained by: 1) trading and/or selling discarded items from an item pack that were purchased by a user using “FIFA points;” or 2) earning “FIFA coins” through the actual playing of the FIFA video game. Upon the completion of a FUT game match, a user’s account is credited with a certain amount of “FIFA coins” depending on whether the team won, lost, or tied and the user’s in-game performance (i.e. goals scored, goals allowed, etc.).

10. An “item pack,” which is commonly referred to in the FUT user community as a “card pack” or “pack,” is a random selection of virtual items a FUT user can purchase with either FIFA points or FIFA coins. Item packs are categorized as gold, silver, or bronze, and each item pack randomly contains new players, staff, or other items based on the guarantees of content quality defined for that pack, which the user can use to build his or her FUT team. Unwanted cards can be sold or traded through the game’s transfer market.

11. The “transfer market” is a centralized location within the FUT game mode that allows users to buy, sell, or trade various cards or items. A user can use FIFA coins to purchase items in the transfer market, and receive FIFA coins when selling items. The prices within the transfer market fluctuate based on the volume of FIFA coins that have been generated since the game was introduced to the general public.

Count One
Conspiracy to Commit Fraud and Related Activity in
Connection with Computers
(Violation of 18 U.S.C. § 371)

12. The allegations in paragraphs 1 – 11 are incorporated by reference as if fully rewritten herein.

13. From at least the year 2013, and continuing until on or about September 17, 2015, within the Northern District of Texas and elsewhere, the defendant **Ricky Miller**, did knowingly conspire, confederate, and agree with Anthony Clark, Eaton Zveare, Nicholas Castellucci, and others known and unknown to intentionally defraud Electronic Arts, Inc. (“EA”) by accessing a protected computer without authorization and furthered the intended fraud and obtained something of value, specifically “FIFA coins,” and the value of such use was more than \$5,000 within a 1- year time period.

Manner and Means of the Conspiracy

14. As part of the conspiracy to commit fraud, the defendant assisted in creating a program the conspirators referred to as the “FIFA Server Tool Application,” “Application,” or “App” (hereinafter referred to as the “application”), which sent electronic messages to EA’s servers fraudulently representing that thousands of FUT matches had been completed in EA’s FIFA video game. EA’s servers materially relied on the completed match messages and credited various accounts maintained by the defendant and his co-conspirators with “FIFA coins.” The defendant and his conspirators would then transfer and sell the “FIFA coins” to various coin dealers in places such as the United Kingdom and China.

15. It was further part of the conspiracy that the defendant and his co-

conspirators continued to create and execute new methods to circumvent the security measures developed by EA in EA's effort to prevent fraudulent activity associated with the company's FIFA video game.

16. It was further part of the conspiracy that the defendant and his co-conspirators executed their "application" through a video game console, which they modified to circumvent security protections, and on console developer's kits, which they obtained from unlicensed sources.

17. It was further part of the conspiracy that the defendant and his co-conspirators later executed their "application" through cloud computer servers, which allowed them to run more copies of the software and obtain significantly more FIFA coins.

Overt Acts of the Conspiracy

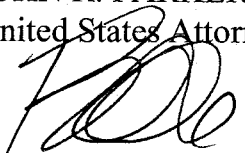
18. To effect the object of the conspiracy, the defendant and others performed overt acts in the Northern District of Texas and elsewhere, including but not limited to the following acts:

- a. The defendant, Ricky Miller, joined Anthony Clark, Eaton Zveare, and Nicholas Castellucci to form a group known as RANE Developments LLC ("RANE"), whose sole purpose was to develop and execute an application to illegally obtain FIFA coins;
- b. RANE successfully reverse engineered a copy of EA's video game known as FIFA 14 by using programs such as Interactive Disassembler, which enabled RANE to successfully imitate "match play" credits and create an automated process of producing FIFA coins;
- c. Through RANE's reverse engineering of the FIFA video game, RANE was able to locate servers maintained by EA, and referred to by RANE as EA's "secret servers;" and
- d. Beginning in at least the year 2013, and continuing until in or about

September 2015, RANE executed their FIFA Server Tool to communicate with servers maintained by EA. Through the execution of this tool, RANE, without authorization, was successful in defrauding EA's computer systems into believing thousands upon thousands of FIFA matches were being played, which resulted in RANE receiving more than \$5,000 in value during a 1-year time period.

19. All in violation of 18 U.S.C. § 371 (18 U.S.C. § 1030(a)(4)).

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